

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

LLOYD R. MOORE, JR.,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

NO: 13-CV-0325-TOR

ORDER REMANDING CASE

BEFORE THE COURT is the parties' Stipulated Motion for Remand (ECF No. 24). Pursuant to the parties' stipulation, this case is hereby reversed and remanded to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

**IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Remand (ECF No. 24) is **GRANTED**.

The Commissioner's decision regarding Plaintiff's application for supplemental security income disability benefits under Title XVI of the

1 Social Security Act is **REVERSED** and **REMANDED** to the Commissioner  
2 of Social Security for a *de novo* hearing pursuant to sentence four of 42  
3 U.S.C. § 405(g).

4 2. On remand, the ALJ shall consider new evidence, including the opinions of  
5 Lylanya Cox, M.D., dated January 28, 2011 (Tr. 435), and Angela Huago,  
6 D.O., dated February 4, 2011 (Tr. 436). The ALJ will also consider new  
7 evidence of a torn rotator cuff and evaluate its severity. The ALJ will also  
8 evaluate Plaintiff's mental impairments using the special technique as  
9 required by 20 C.F.R. § 416.920a. The ALJ will also address evidence of  
10 obesity pursuant to Social Security Ruling 02-1p. The ALJ will also re-  
11 assess whether Plaintiff was capable of performing his past relevant work at  
12 step four of the sequential evaluation process, and obtain evidence from a  
13 vocational expert to clarify the effect of occasional reaching and overhead  
14 activities on the sedentary occupational base. Finally, the ALJ will address  
15 evidence of substance abuse using the guidance in Social Security Ruling  
16 13-2p.

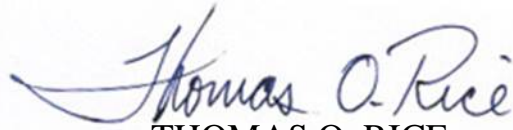
17 3. Plaintiff will be entitled to reasonable attorney's fees and costs pursuant to  
18 28 U.S.C. § 2412(d), upon proper request to this Court.

19 4. All pending motions are **DENIED** as moot.  
20

1 The District Court Executive is hereby directed to enter this Order, provide  
2 copies to counsel, enter **JUDGMENT** for Plaintiff, and **CLOSE** the file.

3 **DATED** August 7, 2014.



  
THOMAS O. RICE  
United States District Judge